RECEIVED SDNY PRO SE OFFICE

UNITED STATES DISTRICT COURT

7015 FFB 18 A 10: 38

SOUTHERN DISTRICT OF NEW YORK	7013 140 330 73.10 230
Frank Hall	
(In the space above enter the full name(s) of the plaint	iff(s).) AMENDED
	COMPLAINT
-against-	under the Civil Rights Act,
	42 U.S.C. § 1983
Sarrica Frank - Shield "o	435
Sot. Cahill, James	
Crim I Sai Yee Tsung #354	Jury Trial: Vyes D No
Chedanan Naurang - Shield	700703 (check one)
Detective Pedro Abreu	12 7217
Detective Evagelos Dimitra	Kakis 13 Civ. 7315 (PG6)
73 pct - 3 Field Team	
:	
(In the space above enter the full name(s) of the defende	int(s). If you
cannot fit the names of all of the defendants in the spa	ce provided, USDC SDNY a attach an DOCUMENT
please write "see attached" in the space above an additional sheet of paper with the full list of names.	The names ELECTRONICALLY FILED
listed in the above caption must be identical to those	
Part I. Addresses should not be included here.)	DATE FILED: 2/18/15
I. Parties in this complaint:	
A. List your name, identification number, confinement. Do the same for any additional number as necessary.	and the name and address of your current place of onal plaintiffs named. Attach additional sheets of paper
T V II.II	
Plaintiff's Name Frank Hall	
ID# 349-14-11814	-(0)2)
Current Institution GMDC Address 15-15 Hazeu	Street
	brk 1/370
East-Elmhurst, New	11.270
B. List all defendants' names, positions, plan	ces of employment, and the address where each defendant
may be served. Make sure that the defen	dant(s) listed below are identical to those contained in the
above caption. Attach additional sheets	of paper as necessary.
400.0 700.000	
~ 1 A:	
Defendant No. 1 Name Pedro Al	reu Detective Shield #
Where Currently Emplo	yed 73 Pct. 3 Field Team
	Plaza, Room 1100
	Vew York 10038
1750 1971C . I	VEW /VI N / UUUU

	, '	•	
	Defendant No. 2	Name Evage os I Where Currently Employed Address /- Police	
	Defendant No. 3	New York, New) Name Sarriaa, Where Currently Employed Address 1-Police New York, New	Frank Shield # 2255 73 pct (Detective) 3- Field Team Plaza, Room 1/00 York 10038
Who did what?	Defendant No. 4	Name Cahill Where Currently Employe Address Police	James (Sqt.) Shield # d_ 73 pct Plaza, Room 1100
	Defendant No. 5	New York, New Name Chedanan Where Currently Employe Address /-Police New York, New	1 217 1 27 1 1 7 1 1 7 1 7 1 7 1 7 1 7 1
	you may wish to inc	ossible the <u>facts</u> of your case laint is involved in this action, blude further details such as th	Describe how each of the defendants named in the along with the dates and locations of all relevant events. e names of other persons involved in the events giving tes. If you intend to allege a number of related claims, graph. Attach additional sheets of paper as necessary.
	A. In what insti	itution did the events giving ri — 3 Field Team	se to your claim(s) occur?
	In the	e 73pct on the	first floor (Apt 5A)
	Octobe	or 16th 2011 at a	pproximately 8:45pm inside the thin Ave, Brooklyn NY 1 to my apartment (5A)
" What	D. Facts: OCH	lober 16th 2011 at ap	proximately 8:45pm I was returning Brooklyn I saw the police outside

What happened to you? to my house 1801 pitkin in Smoklyn I saw the police outside of my build and two unidentified males under arrest. There were about 4 or 5 Officers in Plainclothes and two black ummerked cars and an unmarked van. The Officers put two men into the police Van I did not know the two men that got arrested but recognized them from being among the people that frequently get high in the hallways of my building. When I be coming back from some where people be

	getting high in that hallway of 1801 pitkin Ave I past the scene went upstairs to my apartment (5A) and I was alone and did not have any interaction with the Officer and the only thing I saw was the two individuals that had been arrested and I more into 1801 Pitkin Ave in June 15th 2011. The police have responded to my building numerous time and made nargotics arrests. After approximately 1/2 hour later I heard a knock at the door I went to the door and ask who was there and saw that a hand was covering the peep hole I ask who was there and saw that a hand was covering the peep hole I
Was	identified her self as Baby Girl said It's me and I said who you No one outside of the door identified themselves as the police. Then I open the door and four plainchathes officers rush into my aparment and started scarching and I ask what are you looking for
anyone elsc involved?	The Officer replied "Where are the drugs I ask the Officers do you have a warrant he replied "My bage is my warrant. There were NO drugs in my apartment
Who else	Interview Details (That's my Story)
happened?	III. Injuries: If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.
	1A
	IV. Exhaustion of Administrative Remedies:
	The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.
	A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

f YES	s, name the jail, prison, or other correction	nal facility where you were confined at the time of the
vents	giving rise to your claim(s).	Sland OBCC ID#141-11-13843
TI	mas housand Area was	Island OBCC ID#141-11-13843 2 Lower and I have a copy
of	my Medical Records from	Rikers Island at OBCC
	1	al facility where your claim(s) arose have a grievance
В.	procedure?	
	Yes No Do Not Know	
C.	Does the grievance procedure at the jail, arose cover some or all of your claim(s)	prison or other correctional facility where your claim(s)
	Yes No Do Not Know _	
	If YES, which claim(s)?	
D,		, or other correctional facility where your claim(s) arose?
	Yes No If NO, did you file a grievance about prison, or other correctional facility?	the events described in this complaint at any other jail,
	Yes No V	
E.		vents described in this complaint, where did you file the
	1. Which claim(s) in this complain	did you grieve?
		MA
	2. What was the result, if any?	N/A
	3. What steps, if any, did you take the highest level of the grievance proce	e to appeal that decision? Describe all efforts to appeal to
		N/A
F.	If you did not file a grievance:	
. 1		ou did not file a grievance, state them here:
	Because I	was arresst and was in the 73pc

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VI.	Previous lawsuits:
A.	Have you filed other lawsuits in state or federal court dealing with the same facts involve action?
	Yes No
В.	If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 be there is more than one lawsuit, describe the additional lawsuits on another sheet of paper the same format.)
	1. Parties to the previous lawsuit:
	Plaintiff
	Defendants
	2. Court (if federal court, name the district; if state court, name the county)
	3. Docket or Index number
	4. Name of Judge assigned to your case
	5. Approximate date of filing lawsuit
	6. Is the case still pending? Yes No
	If NO, give the approximate date of disposition
	7. What was the result of the case? (For example: Was the case dismissed? W judgment in your favor? Was the case appealed?)
C.	Have you filed other lawsuits in state or federal court otherwise relating to your impriso Yes NoX/
D.	If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 be there is more than one lawsuit, describe the additional lawsuits on another piece of pape the same format.)
	1. Parties to the previous lawsuit:
	Plaintiff
	Defendants
	Defendants 2. Court (if federal court, name the district; if state court, name the county)
	2. Court (if federal court, name the district; if state court, name the county)
New area	Defendants

6.	Is the case still pending? Yes No
7.	What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?)
	(Yes It was Dismissed)
	under penalty of perjury that the foregoing is true and correct. s. 6 day of Feb., 2015
	Signature of Plaintiff Front Half
	Inmate Number 349-19-11819
	Institution Address GMDC C73
	15-15 Hazen Street Ecst-Elmhurst NY1/370
	Il plaintiffs named in the caption of the complaint must date and sign the complaint and provide eir inmate numbers and addresses.
T doolows w	under penalty of perjury that on this 6 day of Feb, 2015 I am delivering
	aint to prison authorities to be mailed to the <i>Pro Se</i> Office of the United States District Court for
tne Southe	orn District of New York.
	Signature of Plaintiff:

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2010 DEC 13 AM 9: 07

COLINAL INAGINA ACIDE

CENTRAL INAGINA ACIDE

RIP. INI DIMANI DIN SYSTEM

NOTICE OF CLAIM

In the Matter of the Claim of

Frank Hall

-against-

THE CITY OF NEW YORK

11 1 Hd 6-330 11. F.

TO: THE CITY OF NEW YORK

PLEASE TAKE NOTICE, that the undersigned claimant hereby makes claim and demand against The City of New York as follows:

1. The name and post-office address of claimant and claimant's attorney is:

Frank Hall

Joseph Indusi Brooklyn Defender Services 177 Livingston Street, 5th Fl. Brooklyn, NY 11201 718-254-0700, Ext. 267

2. The nature of the claim is:

To recover damages for injuries sustained by claimant as a result of the negligence, recklessness, and intentional conduct (including assault, battery, false arrest, malicious prosecution, violation of 4th Amendment rights) of the City of New York, its agents, servants and/or employees, including but not limited to agents, servants and/or employees of the New York City Police Department. Claim is also made for negligent hiring, retention, and training of agents, servants and/or employees of the City of New York, including but not limited to the aforesaid police officers.

Claim is also made under 42 USC SS 1981, 1983 and 1985 for deprivation of claimant's civil rights under color of state law.

ENCL 22E

3. The time when, the place where and the manner in which the claim arose:

The claim arose on or about october 16, 2011 in NY 11212. At the aforesaid time and place, Det. Frank Sarrica, shield number 225, of Squad 73, and members of Field Team 73-3 unlawfully entered the above premises without a warrant, placed the Claimant under arrest after planting a Controlled Substance (Cocaine Residue) on the Claimant.

4. The items of damage and injuries claimed are:

Claimant was forcibly placed under arrest, and has subsequently been incarcerated at Rikers Island, as well as suffering emotional and psychological injuries, conscious pain and suffering and lost earnings, sustaining damages in the sum of TEN MILLION (\$10,000,000.00) DOLLARS.

The undersigned claimant therefore presents this claim for adjustment and payment. You are hereby notified that unless it is adjusted and paid within the time provided by law from the date of presentation to you, the claimant intends to commence an action on this claim.

Dated: New York, New York December 8, 2011

> JOSEPH INDUSI Attorney for Claimant Brooklyn Defender Services 177 Livingston Street, 5th Fl. 718-254-0700, Ext. 267

> > ENCL. DE

VERIFICATION

JOSEPH INDUSI, an attorney duly admitted to practice law in the State of New York, hereby affirms the following, under penalty of perjury:

That I am the attorney for the claimant in the within Claim.

That I have read the foregoing Notice of Claim and know the contents thereof; that the same is true to my own knowledge, except as to the matters therein stated to be upon information and belief; and as to those matters I believe it to be true.

That the reason this verification is made by your affirmant and not by the claimant is that claimant is currently incarcerated at Rikers Island and does not, therefore, reside in the County where your affirmant maintains his office.

That the grounds for your affirmant's belief as to all matters not stated upon my knowledge are as follows: records, reports, facts and documents contained in claimants' file maintained by your affirmant's office, as well as statements by claimant.

Dated: Brooklyn, New York December 9, 2011

JOSEPH INDUST, Esq.

ENCL. DOG

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CRIMINAL COURT OF THE CITY OF NEW YORK
120 SCHERMERHORN STREET
BROOKLYN, N.Y. 11201
(347) 404-9400

NPR

Dear Sir/Madam:	
The requested docket number(s)	
2011Kn082536	Hall trank
DOCKET #	NAME
DOCKET #	NAME
is (are) sealed under Section 160 50/720 submit one of the following to receive a C	of the Criminal Procedure Law. You must lertificate of Disposition:
A) A notarized letter from the defe unseal the case(s), and stating You may use this letter by nota	to whom it should be released
B) An Unsealing Order from a Sur	
PLEASE RETURN THIS LETTER WITH	YOUR REQUEST AND ONE OF THE ABOVE.
	CENTRAL CLERK'S OFFICE
I, Frank HALL, as the defendant,	hereby authorize this (these).
docker(s) to be unsealed for the purpose of	It issuing a Certificate of
Disposition or obtaining copies of any pertifurnish Frank (A) or bearer w	nent court documents. Kindly vith a Certificate of Disposition
or any other court document(s) for the abo	ve-referred docket(s).
	For Wall
	Defendant's Signature
STATE OF NEW YORK COUNTY OF OR	WOP s.s. #
On 500, before me personally came as known and known to me to be this individual	nd appeared FRAH HAIL, to me
foregoing instrument and who duly acknowle the same.	eugeu to me that ne/she executed
	Willin Fends
	NOTARY PUBLIC

WILLIAM FENDORAK
Notary Public, State of New York
No. 01FE6257145
Qualified in Orange County
Commission Expires March 5, 20

Case 1:13-cv-07315-PGG Document 8 Filed 01/24/14 Page 4 of 21 CRIMINAL COURT OF THE CITY OF NEW YORK COUNTY OF KINGS CERTIFICATE OF DISPOSITION NUMBER: 448884 THE PEOPLE OF THE STATE OF NEW YORK VS HALL, FRANK Defendant Date of Birth Address NYSID Number 10/16/2011 Date of Arrest/Issue State Zip Docket Number: 2011KN082536 Summons No: Arraignment Charges Case Disposition Information: Date Court Action
05/02/2012 DISMISSED - MOTION OF DA Judge WILSON, J SEALED pursuant to Section 160.50 of the CPL NO FEE CERTIFICATION

City

220.03

GOVERNMENT AGENCY COUNSEL ASSIGNED NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNED SOURCE _ ACCUSATORY INSTRUMENT _ DOCKET BOOK/CRIMS _ CRC3030[CRS963] I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN THIS COURT. WINDSOR, L 08/13/2013

FEE: NONE

(CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT SEAL OVER THE SIGNATURE OF THE COURT OFFICIAL.)

COURT OFFICIAL SIGNATURE AND SEAL

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DESIGNATION PURSUANT TO CPL 160.50(1)(D) OF PERSON TO WHOM SEALED RECORDS SHALL BE MADE AVAILABLE

I, Frank HAII , date of birth pursuant to section 160.50(1)(d) of the New York Criminal Procedure Law, hereby designate the New York City Civilian Complaint Review Board or an authorized representative thereof, as my agent to whom records, transcripts, and certificates of disposition of the criminal action terminated in my favor, entitled People v. Frank Hall , under docket number 2011 KN 0825 36 , in the Criminal Court of the City of New York, County of New York, shall be made available.

I understand that until now, the aforesaid records have been sealed pursuant to CPL 160.50, which permits those records to be made available only to persons designated by me or to certain other parties specifically designated in that statute.

I further understand that the person designated by me above as a person to whom the records may be made available is not bound by the statutory sealing requirements of CPL 160.50.

The records to be made available to the person designated above should comprise all records and papers relating to my arrest and prosecution in the criminal action identified herein on file with any court, police agency, prosecutor's office or state or local agency that were ordered to be sealed under the provisions of GPL 160.50.

Signature

Sworn to before me on the

18th day of July

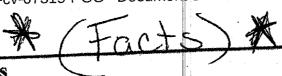
, 20**6≥**

Commissioner of Deeds

BRENT L. ROGERS
Notary Public in the State of New York
Qualified in Madison County 01R06202020
My Commission Expires March 9, 20 43

ENCL. 24M

Filed 01/24/14 Page 7 of 21 Document 8



Interview Details

On July 3, 2012, Frank Hall was interviewed via telephone. Mr. Hall is currently incarcerated at Marcy Correctional Facility in Marcy, NY. The interview began at 10:44 a.m. and concluded at 11:12 a.m.

Mr. Hall was 43 years old at the time of this incident. Mr. Hall is a black male with a shaven bald head, a mustache, and brown eyes. He is 5'9" tall and weighs 207 pounds. Mr. Hall has tattoos on his neck, both arms, and both legs, and scar from a bullet wound behind one of his ears.

On October 16, 2011 at approximately 8:45 p.m., Mr. Hall was returning to his home at 1801 Pitkin Avenue in Brooklyn. Mr. Hall saw that the police were outside of his building and had two unidentified males under arrest. There were five officers in plainclothes and two black unmarked cars and an unmarked van. The officers put the two men into the police van. Mr. Hall did not know the two men that got arrested, but recognized them from being among the people that frequently get high in the hallways of his building.

Mr. Hall walked past the scene and went upstairs to his apartment, # A5. Mr. Hall was alone and did not have any interaction with the officers or the two individuals that had been arrested. Mr. Hall did not interact with any other civilians outside of his building. Mr. Hall had lived at 1801 Pitkin Avenue, Apt. A5 since June 15, 2011. Mr. Hall described his building as a five floor apartment building, with six apartments to a floor. Mr. Hall's apartment is on the second floor. All of the other apartments on Mr. Hall's floor are occupied.

Mr. Hall is familiar with all of his neighbors. There had never been any incidents with any of his neighbors, noise complaints, or disputes since he began living at the location. Mr. Hall used to clean the building and described his relationship with the other tenants as "wonderful." The police have responded to Mr. Hall's building numerous times and made narcotics related arrests.

Mr. Hall entered his apartment, got undressed, and fixed himself something to eat. Mr. Hall did not have any visitors and did not make any phone calls. After approximately 1/2 hour, Mr. Hall heard a knock at his door. Mr. Hall went to the door and asked who was there and saw that a hand was covering the peep hole. Mr. Hall asked the person to put their hand down so he could see who it was. A woman, identified by Mr. Hall only as "Baby Girl," said, "It's me." No one outside of the door identified themselves as the police.

Mr. Hall stated that he met Baby Girl when he first moved in to the building, but had no history with her. Baby Girl does not live in the building, but is among the individuals that frequently gets high in the hallways. Mr. Hall has seen Baby Girl get arrested in the past, but could not remember any specific dates. Baby Girl was described as a darkskinned black female, approximately 5'5" to 5'6" tall, slim build, with short black hair, and 38-39 years old. Mr. Hall stated that Baby Girl works as a Home Attendant.

Mr. Hall opened the door and four plainclothes officers (P\$01-PO4) rushed into the apartment and started searching. Mr. Hall asked, "What are you looking for." The officers replied, "Where are the drugs?" Mr. Hall informed the officers that there were no drugs in his apartment and that he had just returned from his program. Mr. Hall asked if the officers had a warrant to which PO1 replied, "My badge is my warrant."

PO1, identified by Mr. Hall as PO Frank Sarrica, was described as a white male, approximately 5'9" tall, medium build, with straight/curly brown hair, and in his forties. Po2 was described as a white male, approximately 6'0" tall, chubby/big-boned build, with a full beard, and in his forties. PO3 was described as a white male. PO4 was described as a black male, approximately 6'0" tall, slim build, and in his thirties. These four officers were the same officers Mr. Hall saw earlier in front of his building.

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Interview Details

Mr. Hall insisted that there were no drugs in the apartment and that he had just come back from his program. PO Sarrica accused Mr. Hall of lying and stated that the officers had been watching him. Mr. Hall again said he just came from his program and saw that they had two people locked up downstairs. PO Sarrica said, "Didn't I tell you to stop lying?" PO Sarrica then threw Mr. Hall to the floor and placed him in handcuffs.

The officers then searched through Mr. Hall's dresser drawers, his DVDs, in his kitchen, his bathroom, emptied his closet, and flipped the bed over. Nothing was recovered as a result of the search at this time. Mr. Hall described his apartment as a studio, so he was able to see everything while he was lying on the floor in handcuffs.

Mr. Hall was then brought out into the hallway where he saw Baby Girl laughing. The officers then had Baby Girl go into the apartment while PO2 held Mr. Hall in the stairwell. Mr. Hall did not have line of sight into his apartment at this time, but could hear the officers searching his apartment. PO Sarrica, PO3, and PO4 were in Mr. Hall's apartment, with Baby Girl, for approximately forty-five minutes. Mr. Hall asked PO2, if the officers needed a warrant to search his apartment. PO2 said, "We don't need a warrant, we have a badge."

Mr. Hall then heard PO Sarrica say, "Yeah, we got him." PO Sarrica emerged from the apartment with a glass pipe and placed it in a manila envelope. Mr. Hall denied that he had a glass pipe in the apartment. The officers did not indicate to Mr. Hall where they found the pipe. However, when Mr. Hall was brought to court, the officers said they found the pipe in the stairwell.

Mr. Hall was only wearing his underwear and a t-shirt at this time. One of the officers brought Mr. Hall some clothes, removed the handcuffs, and allowed him to get dressed. Mr. Hall was then handcuffed again and brought down to the same van where the other two males were being held. Mr. Hall again confirmed that he had no relationship with the two males. PO5, who had remained outside with the prisoner van, was described as a white male. PO5 never went into Mr. Hall's apartment. There were no other officers at the location.

Mr. Hall and the other two males were transported to the 73rd Precinct stationhouse. Mr. Hall was placed in a separate holding cell than the other two males. Mr. Hall was charged with PL 220.03 (criminal possession of a controlled substance). Mr. Hall did not know what the other two males were charged with. Mr. Hall was given McDonalds and then transported to Rikers Island.

On May 2, 2011, Mr. Hall's case was dismissed.

Swort before me or

18th July 2012

Thent d. Got

And the

BRENT L. ROGERS

Notary Public in the State of New York

Qualified in Macison County 01R06202020

My Commission Expires March 9, 20

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Michael Aaronson Chief, Bureau of Law and Adjustment

015 - 151

THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER CLAIMS AND ADJUDICATIONS 1 CENTRE STREET ROOM 1200 NEW YORK, N.Y. 10007-2341

John C. Liu COMPTROLLER

Date:

12/14/2011

Claim No: 2011PI040415

RE:

Acknowledgment of Claim

WWW.COMPTROLLER.NYC.GOV

FRANK HALL c/o JOSEPH INDUSI 177 LIVINGSTON STREET 5TH FL BROOKLYN, NY 11201

Dear Claimant:

We acknowledge receipt of your claim, which has been assigned the claim number shown above. Please refer to this claim number in any correspondence or inquiry you may have with our office.

We will do our best to investigate and, if possible, settle your claim. However, if we are unable to resolve your claim, any lawsuit against the City must be started within one year and ninety days from the date of the occurrence.

If you have any questions regarding your claim, you may contact us at either 212-669-8750 for property damage claims or 212-669-4445 for claims involving personal injury.

> Sincerely, Michael Aaronson

PD 244-150 (R	,						
SECTION I - TO BE COM	DI ETEN DV M VOID		<u> </u>		Date		
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Address					•	143	n
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Arresting						- inaphiloi	IE NO.
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7.13		No □ Yes	No No	s, Respondent's Ren	k (Print) Name (I	.ast, First, M.	l.)
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I.S. Print Name (Last, Fi	il. inpatient uneds, Rep 27 charts / pa	thentung	Sto Stored Medical The Court Section	Aid Re	rapid rapid	Acuf	i □ No
.S. Print Name (Last, Fi	rst, M. I.)	thentung	sto sto	Aid Re	commend Prisineral Population	Jests Jests Oner Be Seron Yes	i □ No
S. Print Name (Last, Figure 1).S. Print Name (Last Figure 2).	rst, M. I.)	thentung	BtD Surce da (er Refused Medical The Court Section Shield #	Aid Re	commend Prisineral Population	Jests Jests Oner Be Seron Yes	I No al Emergenc
S. Print Name (Last, Fi	rst, M. I.)	thentung	Sto Stored Medical The Court Section	Aid Re	commend Prisineral Population	Jests Je	al Emergenc
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(Receipt will be obtained by Escorting Officer on PINK COPY and returned to COURT SECTION 4. BUFF - CMD. OF ARREST, 5. GREEN - ARRAIGNING JUDGE.

NOTE: A PHOTO COPY OF THIS FORMAND OF ARREST FOR FILE.)

NOTE: A PHOTO COPY OF THIS FORM MAY BE PROVIDED UPON REQUEST TO HEALTH AND HOSPITALS CORPORATION (HHC) PERSONNEL.